

106TH CONGRESS  
1ST SESSION

# H. R. 2932

To authorize the Golden Spike/Crossroads of the West National Heritage Area.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 23, 1999

Mr. HANSEN introduced the following bill; which was referred to the Committee on Resources

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## A BILL

To authorize the Golden Spike/Crossroads of the West National Heritage Area.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Golden Spike/Cross-  
5       roads of the West National Heritage Area Act of 1999”.

6       **SEC. 2. FINDINGS AND PURPOSES.**

7       (a) FINDINGS.—The Congress finds that—

8               (1) the industrial, cultural, and natural heritage  
9       legacies of linking the Nation by rail in northern

1 Utah at the Crossroads of the West are nationally  
2 significant;

3 (2) in the areas of northern Utah including and  
4 in proximity to Ogden, Utah, linking the Nation by  
5 rail at the Crossroads of the West helped establish  
6 and expand the United States industrial power;

7 (3) the economic strength of our Nation is con-  
8 nected integrally to the vitality of the interconti-  
9 nental railways, which employ millions of workers;

10 (4) the industrial and cultural heritage of the  
11 intercontinental railways at the Crossroads of the  
12 West includes social history and living cultural tradi-  
13 tions of several generations;

14 (5) the National Historic District in Ogden,  
15 Utah, is a prime example of the cultural heritage of  
16 the linking of the Nation by rail at the Crossroads  
17 of the West;

18 (6) the Department of the Interior is respon-  
19 sible for protecting and interpreting the Nation's  
20 cultural and historic resources, and there are signifi-  
21 cant examples of these resources within Ogden,  
22 Utah, and northern Utah to merit the involvement  
23 of the Federal Government to develop programs and  
24 projects in cooperation with the city of Ogden, Utah,  
25 and other local and governmental bodies, to ade-

1       quately conserve, protect, and interpret this heritage  
2       for the education and recreational benefit of this and  
3       future generations of Americans;

4               (7) the city of Ogden, Utah, would be an appro-  
5       priate entity to oversee the development of the Gold-  
6       en Spike/Crossroads of the West National Heritage  
7       Area; and

8               (8) a 1993 National Park Service study, “Gold-  
9       en Spike Rail Feasibility Study”, demonstrated that  
10      sufficient historical resources exist to establish the  
11      Golden Spike/Crossroads of the West National Her-  
12      itage Area.

13      (b) PURPOSES.—The purpose of this Act is to estab-  
14      lish the Golden Spike/Crossroads of the West National  
15      Heritage Area to—

16              (1) foster a close working relationship with all  
17      levels of government, the private sector, and the  
18      local communities in Utah and empower commu-  
19      nities in Utah to conserve their Golden Spike herit-  
20      age while strengthening future economic opportuni-  
21      ties; and

22              (2) conserve, interpret, and develop the histor-  
23      ical, cultural, natural, and recreational resources re-  
24      lated to the industrial and cultural heritage of the

1 Golden Spike/Crossroads of the West National Her-  
2 itage Area.

3 **SEC. 3. DEFINITIONS.**

4 For purposes of this Act, the following definitions  
5 apply:

6 (1) CITY.—The term “City” means the city of  
7 Ogden, Utah.

8 (2) HERITAGE AREA.—The term “Heritage  
9 Area” means the Golden Spike/Crossroads of the  
10 West National Heritage Area established by section  
11 4.

12 (3) SECRETARY.—The term “Secretary” means  
13 the Secretary of the Interior.

14 **SEC. 4. GOLDEN SPIKE/CROSSROADS OF THE WEST NA-**  
15 **TIONAL HERITAGE AREA.**

16 (a) ESTABLISHMENT.—There is established in the  
17 State of Utah the Golden Spike/Crossroads of the West  
18 National Heritage Area.

19 (b) BOUNDARIES.—

20 (1) IN GENERAL.—Subject to paragraph (2),  
21 the boundaries of the Heritage Area shall include  
22 lands in Utah that are related to the following areas  
23 and historic districts:

24 (A) Union Pacific Station in Ogden, Utah.

1 (B) 24th and 25th Street Historic District  
2 in Ogden, Utah.

3 (2) SPECIFIC BOUNDARIES.—The specific  
4 boundaries of the Heritage Area shall be those speci-  
5 fied in the management plan approved under section  
6 6.

7 (3) MAP.—The Secretary shall prepare a map  
8 of the Heritage Area which shall be on file and  
9 available for public inspection in the office of the Di-  
10 rector of the National Park Service.

11 (c) ADMINISTRATION.—The Heritage Area shall be  
12 administered in accordance with this Act.

13 (d) STUDY.—The Secretary, in cooperation with the  
14 City, shall study the feasibility of establishing a National  
15 Heritage Corridor from the City to Promontory Point.

16 (e) ADDITIONS OF LANDS.—The Secretary may add  
17 lands to the Heritage Area in response to a request from  
18 the City.

19 **SEC. 5. DESIGNATION OF CITY AS MANAGEMENT ENTITY.**

20 (a) IN GENERAL.—The City shall be the management  
21 entity for the Heritage Area.

22 (b) FEDERAL FUNDING.—

23 (1) AUTHORIZATION TO RECEIVE FUNDS.—The  
24 City may receive amounts appropriated to carry out  
25 this Act.

1           (2) DISQUALIFICATION.—If a management plan  
2       for the Area is not submitted to the Secretary as re-  
3       quired under section 6 within the time specified in  
4       that section, the City shall cease to be authorized to  
5       receive Federal funding under this Act until such a  
6       plan is submitted to the Secretary.

7       (c) AUTHORITIES OF CITY.—The City may, for pur-  
8       poses of preparing and implementing the management  
9       plan for the Area, use Federal funds made available under  
10      this Act—

11           (1) to make grants and loans to the State of  
12      Utah, its political subdivisions, nonprofit organiza-  
13      tions, and other persons;

14           (2) to enter into cooperative agreements with or  
15      provide technical assistance to Federal agencies, the  
16      State of Utah, its political subdivisions, nonprofit or-  
17      ganizations, and other persons;

18           (3) to hire and compensate staff;

19           (4) to obtain money from any source under any  
20      program or law requiring the recipient of such  
21      money to make a contribution in order to receive  
22      such money;

23           (5) to contract for goods and services; and

24           (6) for such other activities as are necessary to  
25      carry out its duties under this Act.

1 (d) PROHIBITION OF ACQUISITION OF REAL PROP-  
2 erty.—The City may not use Federal funds received  
3 under this Act to acquire real property or any interest in  
4 real property.

5 **SEC. 6. MANAGEMENT DUTIES OF THE CITY.**

6 (a) HERITAGE AREA MANAGEMENT PLAN.—

7 (1) SUBMISSION FOR REVIEW BY SECRETARY.—

8 The City shall, within 3 years after the date of en-  
9 actment of this Act, develop and submit for review  
10 to the Secretary a management plan for the Area.

11 (2) PLAN REQUIREMENTS, GENERALLY.—A  
12 management plan submitted under this section  
13 shall—

14 (A) present comprehensive recommenda-  
15 tions for the conservation, funding, manage-  
16 ment, and development of the Heritage Area;

17 (B) be prepared with public participation;

18 (C) take into consideration existing Fed-  
19 eral, State, county, and local plans and involve  
20 residents, public agencies, and private organiza-  
21 tions in the Heritage Area;

22 (D) include a description of actions that  
23 units of government and private organizations  
24 are recommended to take to protect the re-  
25 sources of the Heritage Area; and

1           (E) specify existing and potential sources  
2           of Federal and non-Federal funding for the  
3           conservation, management, and development of  
4           the Heritage Area.

5           (3) ADDITIONAL PLAN REQUIREMENTS.—The  
6           management plan shall also include the following, as  
7           appropriate:

8           (A) An inventory of resources contained in  
9           the Heritage Area, including a list of property  
10          in the Heritage Area that should be conserved,  
11          restored, managed, developed, or maintained be-  
12          cause of the natural, cultural, or historic sig-  
13          nificance of the property as it relates to the  
14          themes of the Heritage Area. The inventory  
15          may not include property that is privately  
16          owned unless the owner of the property con-  
17          sents in writing to that inclusion.

18          (B) Recommendations for the interpreta-  
19          tion of the Heritage Area, including (but not  
20          limited to) the development of intergovern-  
21          mental cooperative agreements to manage the  
22          historical, cultural, and natural resources and  
23          recreational opportunities of the Heritage Area  
24          in a manner consistent with the support of the  
25          appropriate and compatible economic viability.



1 (C) A program for implementation of the  
2 management plan, including plans for restora-  
3 tion and construction and a description of any  
4 commitments that have been made by persons  
5 interested in management of the Heritage Area.

6 (D) An analysis of means by which Fed-  
7 eral, State, and local programs may best be co-  
8 ordinated to promote the purposes of this Act.

9 (E) An interpretive plan for the Heritage  
10 Area.

11 (4) APPROVAL AND DISAPPROVAL OF THE MAN-  
12 AGEMENT PLAN.—

13 (A) IN GENERAL.—Not later than 180  
14 days after submission of the Heritage Area  
15 management plan by the City, the Secretary  
16 shall approve or disapprove the plan. If the Sec-  
17 retary has taken no action 180 day after receiv-  
18 ing the plan, the plan shall be considered ap-  
19 proved.

20 (B) If the Secretary disapproves the plan,  
21 the Secretary shall advise the City, in writing,  
22 of the reasons for the disapproval and shall  
23 make recommendations for the revision of the  
24 plan. The Secretary shall approve or disapprove  
25 proposed revisions to the plan not later than 60

1           days after receipt of such revisions from the  
2           City. If the Secretary has taken no action for  
3           60 days after receipt, the plan and revisions  
4           shall be considered approved.

5           (b) PRIORITIES.—The City shall give priority to the  
6           implementation of actions, goals, and policies set forth in  
7           the management plan for the Heritage Area, including—

8                   (1) conserving the Heritage Area;

9                   (2) establishing and maintaining interpretive  
10           exhibits in the Heritage Area;

11                   (3) developing recreational opportunities in the  
12           Heritage Area;

13                   (4) increasing public awareness of and appre-  
14           ciation for the natural, historical, and cultural re-  
15           sources of the Heritage Area;

16                   (5) the restoration of historic buildings that are  
17           located within the boundaries of the Heritage Area  
18           and related to the theme of the Heritage Area;

19                   (6) ensuring that clear, consistent, and environ-  
20           mentally appropriate signs identifying access points  
21           and sites of interest are put in place throughout the  
22           Heritage Area; and

23                   (7) consistent with the goal of the management  
24           plan, encouraging economic viability in the affected  
25           communities by appropriate means.

1       (c) CONSIDERATION OF INTERESTS OF LOCAL  
2 GROUPS.—The City shall, in preparing and implementing  
3 the management plan for the Heritage Area, consider the  
4 interests of diverse units of government, businesses, pri-  
5 vate property owners, and nonprofit groups within the  
6 Heritage Area.

7       (d) PUBLIC MEETINGS.—The City shall conduct pub-  
8 lic meetings at least annually regarding the implementa-  
9 tion of the Heritage Area management plan.

10       (e) ANNUAL REPORTS.—The City shall, for any fiscal  
11 year in which it receives Federal funds under this Act,  
12 submit an annual report to the Secretary setting forth its  
13 accomplishments, its expenses and income, and the enti-  
14 ties to which it made any loans and grants during the year  
15 for which the report is made.

16       (f) COOPERATION WITH AUDITS.—The City shall, for  
17 any fiscal year in which it receives Federal funds under  
18 this Act, make available for audit by the Congress, the  
19 Secretary, and appropriate units of government, all  
20 records and other information pertaining to the expendi-  
21 tures of Federal funds by other organizations that the re-  
22 ceiving organizations make available for such audit and  
23 all records and other information pertaining to the ex-  
24 penditure of such funds.

1 (g) DELEGATIONS.—The City may delegate the re-  
 2 sponsibilities and actions under this section for each area  
 3 or district identified in section 4(b)(1). All delegated ac-  
 4 tions are subject to review and approval by the City.

5 **SEC. 7. DUTIES AND AUTHORITIES OF FEDERAL AGENCIES.**

6 (a) TECHNICAL ASSISTANCE AND GRANTS.—

7 (1) IN GENERAL.—The Secretary may provide  
 8 technical assistance and, subject to the availability  
 9 of appropriations, grants to units of government,  
 10 nonprofit organizations, and other persons upon re-  
 11 quest of the City, and to the City, regarding the  
 12 management plan and its implementation.

13 (2) PROHIBITION OF CERTAIN REQUIRE-  
 14 MENTS.—The Secretary may not, as a condition of  
 15 the award of technical assistance or grants under  
 16 this section, require any recipient of such technical  
 17 assistance or a grant to enact or modify land use re-  
 18 strictions.

19 (3) DETERMINATIONS REGARDING ASSIST-  
 20 ANCE.—The Secretary shall decide if units of gov-  
 21 ernment, nonprofit organizations, and other persons  
 22 shall be awarded technical assistance or grants and  
 23 the amount of that assistance. Such decisions shall  
 24 be based on the relative degree to which the assist-  
 25 ance effectively fulfills the objectives contained in

1 the Heritage Area management plan and achieves  
2 the purposes of this Act. Such decisions shall give  
3 preference to projects which provide a greater lever-  
4 age of Federal funds.

5 (b) PROVISION OF INFORMATION.—In cooperation  
6 with other Federal agencies, the Secretary shall provide  
7 the general public with information regarding the location  
8 and character of the Heritage Area.

9 (c) OTHER ASSISTANCE.—The Secretary may enter  
10 into cooperative agreements with public and private orga-  
11 nizations for the purposes of implementing this section.

12 (d) DUTIES OF OTHER FEDERAL AGENCIES.—Any  
13 Federal entity conducting any activity directly affecting  
14 the Heritage Area shall consider the potential effect of the  
15 activity on the Heritage Area management plan and shall  
16 consult with the City with respect to the activity to mini-  
17 mize the adverse effects of the activity on the Heritage  
18 Area.

19 **SEC. 8. LACK OF EFFECT ON LAND USE REGULATION AND**  
20 **PRIVATE PROPERTY.**

21 (a) LACK OR EFFECT ON AUTHORITY OF LOCAL  
22 GOVERNMENT.—Nothing in this Act shall be construed to  
23 modify, enlarge, or diminish any authority of Federal,  
24 State, or local governments to regulate any use of land  
25 under any other law or regulation.

1 (b) LACK OF ZONING OR LAND USE POWERS.—

2 Nothing in this Act shall be construed to grant powers  
3 of zoning or land use control to the City.

4 (c) LOCAL AUTHORITY AND PRIVATE PROPERTY

5 NOT AFFECTED.—Nothing in this Act shall be construed  
6 to affect or to authorized the City to interfere with—

7 (1) the rights of any person with respect to pri-  
8 vate property; or

9 (2) any local zoning ordinance or land use plan  
10 of the State of Utah or a political subdivision there-  
11 of.

12 **SEC. 9. SUNSET.**

13 The Secretary may not make any grant or provide  
14 any assistance under this Act after September 30, 2016.

15 **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

16 (a) IN GENERAL.—There are authorized to be appro-  
17 priated under this Act not more than \$1,000,000 for any  
18 fiscal year. Not more than a total of \$10,000,000 may  
19 be appropriated for the Heritage Area under this Act.

20 (b) 50 PERCENT MATCH.—Federal funding provided  
21 under this Act may not exceed 50 percent of the total cost  
22 of any activity carried out with such funds.

○